

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

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Date of mailing (day/month/year)  
08 February 2007 (08.02.2007)

Applicant's or agent's file reference  
62173CT-697

International application No.  
PCT/JP2005/005962

International filing date (day/month/year)  
29 March 2005 (29.03.2005)

Applicant

SHIMA SEIKI MANUFACTURING LIMITED et al

IMPORTANT NOTIFICATION

## 1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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# PCT

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005962

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished.
- ☒ the description:
- pages 1, 4-10 as originally filed/furnished
- pages\* 2, 3, 11, 11/1 received by this Authority on 24.10.2005
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1, 2 received by this Authority on 24.10.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- sheets Fig. 1-7 as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, nos. 3, 4
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005962

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims <u>1, 2</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1</u>	YES
	Claims <u>2</u>	NO
Industrial applicability (IA)	Claims <u>1, 2</u>	YES
	Claims _____	NO

## 2. Citations and explanations (Rule 70.7)

Document 1: JP 2646317 B2 (H. Stoll GmbH & Co.), 27  
August 1997.

Document 2: WO 03/102285 A1 (Shima Seiki Mfg., Ltd.), 11  
December 2003

Document 3: JP 5-83657 B2 (Shima Seiki Mfg., Ltd.), 29  
November 1993

Document 4: US 3326017 A (Paliz A.G.), 20 June 1967

Document 5: JP 62-20476 Y2 (Kabushiki Kaisha Shima Idea  
Center), 25 May 1987

## Claim 1

The invention set forth in claim 1 is not denied  
novelty or an inventive step by documents 1 to 5.

## Claim 2

The invention set forth in claim 2 does not involve  
an inventive step in the light of documents 1 and 2.

Document 2 sets forth a movable sinker device,  
wherein a sinker plate (2) having a knitting yarn locking  
part (2a) which is provided to a pair of fore and aft  
needle beds positioned planned symmetrically with respect  
to a vertical plane of symmetry (6a) is rotated with a  
rotating pivot point (2b) as a point of support.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005962

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

Document 1 sets forth a movable sinker device, wherein an upper protrusion (17) and a lower protrusion (18) are provided to a opposing sinkers (15), and these protrusions protrude into the knit fabric pulling range and the newly formed knit fabric is tightened and held by the lower protrusion which faces the knit fabric. In addition, paragraph [0010] indicates that the lower protrusion (18) is formed by two protrusions (18, 19). Paragraph [0012] suggests that the shape of the upper protrusion is deformed so as to take on a function of a mesh-forming protrusion, and can be constituted to have a mesh-forming edge.

Here, the "mesh-forming edge", "protrusion (18)" and "protrusion (19)" correspond to the "mesh-forming edge", "first protrusion" and "second protrusion" of the invention set forth in claim 2 of this application.

Therefore document 1 sets forth a feature wherein two protrusions - a first protrusion and a second protrusion - are provided to the tip side from the mesh-forming edge of a sinker.

It would be easy for a person skilled in the art to conceive of the invention set forth in claim 2 by applying the feature set forth in document 1 to the movable sinker set forth in document 2.